

CLOSED,IFP,NPROSE

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:12-cv-02998-JFB-GRB**

Byrd v. Kirschenbaum et al
Assigned to: Judge Joseph F. Bianco
Referred to: Magistrate Judge Gary R. Brown
Demand: \$180,000
Cause: 28:1331 Fed. Question

Date Filed: 06/14/2012
Date Terminated: 08/28/2012
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff**Shawn E. Byrd**

represented by **Shawn E. Byrd**
12 Birch Road
Amityville, NY 11701
631-918-8359
PRO SE

V.

Defendant**Irwin S. Kirschenbaum**

represented by **Michael L. Kohl**
Michael L. Kohl, P.C.
POB 9000
Farmingdale, NY 11735-9000
516-780-7344
Email: michaellkohl.pc@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Elliot Phillips****Defendant**

Michael Haig
TERMINATED: 08/07/2012

Defendant**Michael L. Kohl**

Date Filed	#	Docket Text
06/14/2012	<u>1</u>	COMPLAINT against All Defendants Disclosure Statement on Civil Cover Sheet completed – Yes,, filed by Shawn E. Byrd. (Attachments: # <u>1</u> Civil Cover Sheet) (Russo, Eric) (Entered: 06/15/2012)
06/14/2012	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Shawn E. Byrd. (Russo, Eric) (Entered: 06/15/2012)
06/14/2012	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Russo,

		Eric) (Entered: 06/15/2012)
06/21/2012	<u>4</u>	Letter dtd. 6/21/12 from pro se office to plaintiff RE: this will acknowledge receipt of your complaint. (Bollbach, Jean) (Entered: 06/21/2012)
07/17/2012	<u>5</u>	Letter MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>request for confrence</i> by Irwin S. Kirschenbaum. (Kohl, Michael) (Entered: 07/17/2012)
08/07/2012	<u>6</u>	AMENDED COMPLAINT (<i>first</i>) against Irwin S. Kirschenbaum, Elliot Phillips, Michael L. Kohl, filed by Shawn E. Byrd. (Bollbach, Jean) (Entered: 08/07/2012)
08/16/2012	<u>7</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis; terminating <u>5</u> Motion to Dismiss for Failure to State a Claim. For the reasons set forth, plaintiffs application for IFP is granted but the case is sua sponte dismissed. The court certifies pursuant to 28 USC 1915(a)(3) that any appeal from this order would not be taken in good faith and therefor in forma pauperis status is denied for the purpose of any appeal. The clerk of the court is directed to close the case.. Ordered by Judge Joseph F. Bianco on 8/16/2012. (Bollbach, Jean) cm by chambers to pro se by fcm on 8/16/12 (Entered: 08/21/2012)
08/28/2012	<u>8</u>	JUDGMENT : ORDERED AND ADJUDGED that plaintiff take nothing of debts; that the complaint is sua sponte dismissed; that in forma pauperis status for purpose of appeal is denied; that this case is hereby closed. (Bollbach, Jean) (Entered: 08/28/2012)
08/28/2012	<u>9</u>	Letter dtd. 8/15/12 from Mr. Kohl to Judge Bianco RE: request a scheduling conf. (Bollbach, Jean) (Entered: 08/28/2012)